

Members

Rep. Linda Lawson, Chairperson
Rep. Vernon Smith
Rep. Bruce Borders
Rep. Ralph Foley
Sen. Brent Steele
Sen. Carlin Yoder
Sen. James Arnold
Sen. Lindel Hume
Larry Landis
Steve Johnson
Commissioner Edwin Buss
Greg Server
Don Travis



CRIMINAL LAW AND SENTENCING POLICY STUDY COMMITTEE

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Committee

Authority: P.L. 100-2010

MEETING MINUTES¹

Meeting Date: August 25, 2010
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington
St., Room 404
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Rep. Linda Lawson, Chairperson; Rep. Vernon Smith; Rep. Bruce Borders; Rep. Ralph Foley; Sen. Brent Steele; Sen. Carlin Yoder; Sen. James Arnold; Sen. Lindel Hume; Larry Landis; Steve Johnson; Commissioner Edwin Buss; Greg Server; Don Travis.

Members Absent: None.

Representative Lawson called the meeting to order at 1:15 p.m.

Representative Lawson introduced **Nancy Willard**, JD, of the Center for Safe and Responsible Internet Use. Ms. Willard gave a PowerPoint presentation and addressed the group via video conference. Her presentation centered on sexting and cyber-bullying issues. After the presentation, Ms. Willard entertained questions.

¹ These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative>. Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

Representative Foley brought up the issue of "revenge porn" and the Committee discussed policies of other states and heightened penalties for commercial distribution.

Representative Borders asked for recommendations on what to do when teens receive unsolicited sexual images from those who may be romantically interested in them and the Committee discussed the consequences of those images being forwarded to others.

Representative Smith asked about legislation from other states that addresses prevention as opposed to penalties. After discussion, Ms. Willard agreed to forward the legislation from Illinois and Virginia to the Committee.

Representative Lawson introduced **Gilbert Holmes**, Executive Director of the American Civil Liberties Union of Indiana. Mr. Holmes stated that sexting is an educational issue and that the legislature should not be legislating morality issues. He also stated that sexting legislation implicates the free speech provision of the First Amendment, and that proper education is the key to reducing sexting. Mr. Holmes entertained questions from the Committee.

Representative Lawson introduced **Erik Scheub**, Media and Public Relations Director for the Indiana Coalition Against Sexual Assault, who spoke on the challenges facing families and educational institutions given the large number of kids who have cell phones and other media devices, and how these devices are part of their social lives.

Senator James Arnold introduced a preliminary draft (PD 3092) which relocates the statute establishing the criminal law and sentencing policy study committee, and asked for the Committee's recommendation. A motion was made and seconded, but Representative Lawson held the vote to allow the Committee to get more information on the prior makeup of the Committee.

The meeting was adjourned at 2:30 p.m.

The next meeting was scheduled for September 8, 2010 at 9:00 a.m.